

Notice of Allowability

Application No.

10/535,572

Examiner

Brian J. Livedalen

Applicant(s)

KISHIDA ET AL.

Art Unit

2878

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to after final amendment filed 10/31/2007.
2. ☒ The allowed claim(s) is/are 4 and 6-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

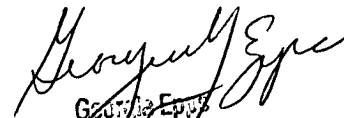
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


George Epps
Supervisory Patent Examiner
Technology Center 2800

DETAILED ACTION

This action is in response to the after final amendment filed 10/31/2007. Claims 4 and 6-20 are pending.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gerald E. Hespos on 11/20/07.

The application has been amended as follows:

Claim 12, line 12: Replace "member in such a manner as to avoid the held" with --member, the slits being spaced from the--.

Claim 13, line 12: Replace "member in such a manner as to avoid the held" with --member, the slits being spaced from the--.

Claim 13, line 14: Replace "the distortion" with --distortion--.

Claim 14, line 12: Replace "and is formed with notches used to bend the base member at its lateral ends located on extensions of tangents to the optical fiber cable extending from peaks of waves to troughs thereof, whereby the distortion" with --defining peaks and troughs and tangents extending from each of the peaks to the adjacent troughs, notches being defined on the base member at locations where extensions of

the tangents of the optical fiber cable intersect lateral edges of the base member,
whereby distortion--.

Claim 15, line 5: Replace "length an attachment member for attaching the base member to the structure wherein the base member is configurable for being attachable to the attachment member while the base member is holding the optical fiber cable" with --length, attachment members for attaching the base members to the structure wherein the base members are configurable for being attachable to the attachment members while the base members are holding the optical fiber cables --.

Claim 15, line 9: Replace "an attaching device provided between the attachment member and the structure for attaching the attachment member" with --attaching devices provided between the attachment members and the structure for attaching the attachment members--.

Claim 15, line 11: Replace "a locking device provided between the base member and the attachment member for locking the base member in the attachment member" with -- locking devices provided between the base members and the attachment members for locking the base members in the attachment members--.

Claim 15, line 13: Replace "cable provided at the opposite ends of each standardized base member" with --cables provided at the opposite ends of each base member--.

Allowable Subject Matter

Claims 4 and 6-20 are allowed.

The following is an examiner's statement of reasons for allowance: Claims 4 and 6-20 are neither anticipated nor made obvious by the prior art of record.

Claims 4, 6, 9, and 17 are allowable for the reasons set forth in the office action dated 5/16/2006.

Claims 7, 8, 10-16, 19, and 20 are allowed for the reasons set forth in the office action dated 4/26/2007.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 7:30 am to 4:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bjl


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